

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the following remarks are respectfully requested.

Claims 1, 2, 8-9 and 13-17 were rejected under 35 USC 103(a) as being unpatentable over Mori in view of Iwasaki et al and Bouchanveau. Applicant respectfully traverses this rejection.

The secondary reference to Iwasaki provides a safety breaker in a power steering assembly. Specifically, when the motor's gear of the power steering is locked by breakdown, a shearing force breaks key 32 as a safety breaker to permit the steering wheel to be handled manually. Thus, key 32 is broken when a force transmitted between two members it connects exceeds a predetermined value, thereby releasing the lock between the two members so that the steering wheel can still be operated. In this respect, Iwasaki teaches that an additional, breakable (ceramic) component should be provided so that two parts are normally locked together but will be unlocked when a force transmitted through the connection of the two members exceeds a predetermined value.

In contrast, according to the present invention, no additional component is provided that locks two pieces together but, rather, one of two components, specifically a cam ring, will break if a predetermined force is exceeded, so that potential damage to the rest of the mechanism is minimized or avoided entirely. Specifically, Applicant's safeguard works to exert tensile load on the grooves with the aid of motion of the component (cam ring) when the contact surface between the cam ring and the plunger creates a greater resistance to thrust of the plunger, in order to avoid breakage of the housing.

Thus, the purpose of Iwasaki is to enable the steering wheel to be moved as desired, even when the motor has failed. The purpose of Applicant's system is to avoid breakage of the housing in which the cam ring is disposed. Thus, the purpose of Iwasaki and the purpose of the invention are completely different from one another.

Further in this regard, the Iwasaki device rotates about the axis of the steering shaft whereas, in contrast, Applicant's cam ring 21 does not rotate about a cam shaft 11, but moves vertically. Thus, clearly, the mechanism disclosed and claimed by Applicant is completely different from that in Iwasaki. Because Applicant's system is different in concept, purpose, operation and mechanism from Iwasaki's system, it is respectfully submitted that the skilled artisan would not obviously have derived the concept and structure of the invention from a consideration of the Iwasaki disclosure.

In summary, Applicant provides for the breakage of one of two components of the mechanism to preserve the remaining components of the mechanism. The present invention does not propose to unlock two components of the mechanism using a breakable component, as Iwasaki proposes. Thus, the concept of the safety breaker of the invention and the concept of the Iwasaki structure are materially different and Iwasaki would not suggest to the skilled artisan that a component part of a mechanism, such as a cam ring in the combination claimed, should be made breakable.

Section 103 does not allow the Examiner to engage in picking and choosing from the prior art only to the extent that it will support a holding of obviousness, while excluding parts of the prior art essential to the full appreciation of what the prior art suggests to one of ordinary skill in the art. In re Wesslau, 147 USPQ 391 (CCPA 1975).

For all the reasons advanced above it is respectfully submitted that one skilled in the art, without the benefit of Applicant's disclosure, would not have been motivated to modify the fuel injection pump of Mori to form grooves in the cam ring thereof. Rather, Iwasaki would teach the provision of a safety breaker between two normally locked components, such as between eccentric cam 21 and shaft 70. Because Iwasaki teaches the provision of an additional component for locking parts together, and which is breakable, as opposed to making a component part of the mechanism itself breakable, it is respectfully submitted that Iwasaki does not anticipate nor render obvious the concept of the invention nor the apparatus specifically claimed by applicant. The Examiner's reliance on Bouchanveau does not overcome the deficiencies of the Iwasaki teachings with respect to the invention claimed. Thus, no proper combination of Mori

MORI, K.
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May 11, 2009

with Iwasaki and Bouchanveau would render obvious the invention claimed by applicant.

For all the reasons advanced above, reconsideration and withdrawal of the rejection based on Mori, Iwasaki and Bouchanveau is solicited.

Claims 4, 5, 11 and 12 were rejected under 35 USC 103(a) as being unpatentable over Mori in view of Iwasaki et al, Bouchanveau and Applicant's admission of prior art. These claims are submitted to be patentable over Mori, Iwasaki and Bouchanveau for the reasons advanced above. Any alleged admissions of prior art do not overcome the basic deficiencies of the Examiner's proposed combination of Mori and Iwasaki. It is therefore respectfully submitted that these claims are also patentable over the applied art. Reconsideration and withdrawal of this rejection are requested.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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